

S/N 10/632,557

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Charles Lu et al.	Examiner:	Goldman, Michael H
Serial No.:	10/632,557	Group Art Unit:	3688
Filed:	July 31, 2003	Docket No:	00027.00006US1
Title:	BEST PRICE SEARCH ENGINE INCLUDING SMART COUPONS		

RESPONSE TO OFFICE ACTION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant has reviewed the Office Action mailed on November 13, 2009. Please consider the following amendments and remarks in the above identified patent application.

IN THE CLAIMS

Claims 1-13 and 16-25 are pending in this application. Claims 1-13 and 16-20 are currently amended. Claims 21-25 are previously added. Claims 14-15 are previously canceled.

1. (Currently Amended) A method, ~~including steps of~~ comprising:

determining ~~at least one~~ a connection parameter related to ~~or~~ affecting time involved

in searching information relating to process by sellers using a processor;

searching; in responsive to ~~said at least one~~ the connection parameter so as to reduce

search time; for multi-variable information relating to prices by sellers of a

selected product, wherein that multi-variable information includes at least two of

the following:

a stated price, a coupon, ~~or~~ discount applicable to the selected product, a

currency exchange rate, a measure of quality for an available item of that

selected product, a measure of reputation for a selected seller, ~~or~~

manufacturer of that selected product, a shipping cost ~~or~~ and type a tax

imposed on purchase of the selected product;

populating a database with that multi-variable information in response to said

searching;

computing at a web server an effective price in response to that multi-variable

information; and

presenting that effective price in association with that selected product.

2. (Currently Amended) A method, ~~including steps of~~ comprising:

determining ~~at least one~~ the connection parameter related to ~~or~~ affecting time involved in searching information relating to prices by sellers, said parameter including pre-fetched information;

searching; in responsive to ~~said at least~~ the one connection parameter so as to reduce search time, for stated prices provided by sellers of a selected product;

applying those discounts to those stated prices, whereby an effective price can be computed; and

presenting that effective price in association with that selected product.

3. (Currently Amended) ~~A~~ The method as in claim 1 or 2, ~~including steps of further~~ comprising:
- aggregating the information regarding sellers offering the selected product; and
- presenting to a potential buyer that aggregated information.

4. (Currently Amended) ~~A~~ The method as in claim 1 or 2, ~~including steps of further~~ comprising:
- filtering information regarding sellers of offering the selected product in response
- to at least one restriction selected by a potential buyer.

5. (Currently Amended) ~~A~~ The method as in claim 1 or 2, ~~including steps of further~~ comprising:
- obtaining at least some of ~~that~~ the multi-variable information from a source other
- than a potential seller of that selected product.

6. (Currently Amended) ~~A-The~~ method as in claim 1 or 2, ~~including steps of further~~ comprising:

sorting information regarding sellers of offering the selected product in response to that effective price.

7. (Currently Amended) ~~A-The~~ method as in claim 1 or 2, wherein a search restriction is selected by a potential buyer, that search restriction including at least one of:

a maximum effective price a minimum measure of quality, a minimum measure of reputation, a minimum shipping type; and a maximum amount of product ordered.

8. (Currently Amended) ~~A-The~~ method as in claim 1 or 2, wherein at least some of that multi-variable information is entered from an offline source.

9. (Currently Amended) ~~A-The~~ method as in claim 1 or 2, wherein the steps of searching for multi-variable information ~~include steps of further~~ comprising:

searching for a first element of ~~that~~ the multi-variable information; and

searching; independently of those steps of searching for a first element, for a second element of that multi-variable information.

10. (Currently Amended) ~~A-The~~ method as in claim 1 or 2, wherein those discounts include at least one of : a fixed reduction in price, a percentage reduction in price; and a reduction in price contingent on an amount of product ordered.

11. (Currently Amended) ~~A~~The method as in claim 1 or 2, wherein those discounts include at least one of: a reduction in shipping cost; and an upgrade in shipping type with-out associated increase in price, and wherein those discounts are at least one of ~~neither~~ unconditional ~~or~~ and conditional on an amount of product ordered.

12. (Currently Amended)~~A~~ The method as in claim 1 or 2,

wherein those steps of searching also include information relating to packages of

products including the selected product; and

wherein the computed effective price is responsive to a minimum effective price for those

packages of products.

13. (Currently Amended) ~~A~~The method as in claim 1 or 2, wherein those steps of searching

also include information relating to products not exactly equal to the selected product.

14-15. (Canceled)

16. (Currently Amended) ~~A~~The method as in claim 1 or 2, wherein the connection parameter

comprises connection reliability information.

17. (Currently Amended) ~~A~~The method as in claim 1 or 2, wherein the connection parameter

comprises number of transaction information.

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18. (Currently Amended) A-The method as in claim 1 or 2, wherein the connection parameter comprises a frequency of transaction with the seller.
19. (Currently Amended) A-The method as in claim 1 or 2, further including: caching the multi-variable information and the connection parameter before receiving a request from a user to present the effective price.
20. (Currently Amended) A- The methods as in claim 1 or 2 ~~13~~, wherein the information relating to products not exactly equal to the selected product is responsive to a degree-of-match parameter.
21. (Previously Added) The method of claim 1 wherein the connection parameter is a dead link indication.
22. (Previously Added) The method of claim 1 wherein the connection parameter includes multiple connection information.
23. (Previously Added) The method of claim 1 wherein the connection parameter includes pre-opened connection information.

24. (Previously Added) The method of claim 2 wherein the pre-fetched information includes a pre-fetched price.

25. (Previously Added) The method of claim 2 wherein the pre-fetched information includes pre-searched products.

REMARKS

Applicant has carefully reviewed and considered the Office Action mailed on November 13, 2009, and the references cited therewith. Claims 1-13 and 16-25 are pending in this application. Claims 1-13 and 16-20 are currently amended. Claims 21-25 are previously added. Claims 14-15 are previously canceled.

Claim Rejections – 35 U.S.C. §103

1. Claims 1, 2, 4-9, 11 and 13, 16-25 are rejected under 35 U.S.C. 103(a) as being anticipated by Kraft (2004/0098377) in view of Catan (6491217).
2. Applicant respectfully submits that Kraft does not disclose at least the primary element of Applicant's claim 1 "determining at least one connection parameter related to or affecting time involved in searching information relating to process by sellers" (Claim 1). Applicant respectfully submits that Office Action has admitted on record that "Kraft fails to disclose determining at least one connection parameter related to or affecting time involved in searching information relating to prices by sellers" (See Office Action Page 4). Therefore, Applicant respectfully submits that Kraft does not disclose at least this limitation of Applicant's claim 1.
3. In addition, Applicant respectfully submits that Catan also does not disclose "determining at least one connection parameter related to or affecting time involved in searching information relating to process by sellers" (Claim 1). Rather, Catan merely discusses "the query used for searching is, preferably, generated from the contents of the MRL device T either directly or

indirectly. For example, if the MRL device contains only a serial number, it may be necessary for some process (not illustrated) to look it up on a remote server, or perhaps a database in the reader 609, to determine what the MRL device is connected with” (See Catan [col.14, lines 60-66]). Applicant respectfully submits that MRL information as discussed in Catan is not the same as the at least one connection parameter related or affecting time involved in searching information as in Applicant’s claim because MRL information as in Catan includes a serial number of the product which is an information that can be used to retrieve information about the product in an ample time, whereas Applicant is describing a process of determining at least one parameter related to or affecting time involved in searching information relating to process by seller. Applicant respectfully requests that Examiner to note that MRL information may provide information about the product, however it may not be a parameter related or affecting time involved in searching information relating to process by sellers. Therefore, Applicant respectfully submits that either Kraft or Catan alone do not disclose at least “determining at least one connection parameter related to or affecting time involved in searching information relating to process by sellers” (Claim 1).

4. In addition, Applicant respectfully submits that Kraft does not disclose “searching, responsive said at least one connection parameter so as to reduce search time, for multi-variable information relating to prices by sellers of a selected product, where that multi-variable information includes at least two of the following: a stated price, a coupon or discount applicable to the selected product, a currency exchange rate ...” (Claim 1). Instead, Kraft merely discusses “the peer-to-peer node coordinates connectivity with other peers, building a dynamic network. A user/buyer can enter specific search requests using complex search criteria based on XML” (See

Kraft Para [0012]). Applicant respectfully submits that Applicant is searching for responsive parameter to reduce search time, for multi-variable information relating to prices by sellers of a selected product. A user/buyer entering specific search request using complex criteria based on XML in a dynamic network as in Kraft is not the same as searching for a responsive parameter to reduce search time for multi-variable information relating to prices by sellers of a selected product as in Applicant's claim because Kraft is discussing about a manual process of entering a query for specific search request, whereas Applicant is describing a searching process of responsive parameter to reduce search time for multi-variable information relating to prices by sellers of a selected product. Applicant respectfully requests the Examiner to note that searching for a selected product is no where related to searching for a responsive parameter for reducing search time.

5. In addition, Applicant respectfully disagrees with Examiner's interpretation of multi-variable information with complex search criteria. Multi-variable information may include information relating to prices by sellers of a selected product, whereas a complex search criterion is an option for search query. Furthermore, Applicant is searching responsive connection parameter for reducing search time, for multi-variable information. Therefore, Applicant respectfully submits that Kraft does not disclose at least "searching, responsive said at least one connection parameter so as to reduce search time, for multi-variable information relating to prices by sellers of a selected product, where that multi-variable information includes at least two of the following: a stated price, a coupon or discount applicable to the selected product, a currency exchange rate ..." (Claim 1).

6. In addition, Applicant respectfully submits that Kraft does not disclose at least “populating a database with that multi-variable information in response to said searching” (Claim 1). Rather, Kraft merely discusses “sellers either enter price information for products or services in a graphical user interface with electronic forms or use a gateway to provide access to an existing product/price database. The peer-to-peer node coordinates connectivity with other peers, building a dynamic network. A user/buyer can enter specific search requests using complex search criteria based on XML” (See Kraft Para [0012]). Firstly, Applicant respectfully disagrees with Examiner’s comparison of multi-variable information with complex search criteria as explained above. Secondly, Kraft merely discusses sellers entering price information for products or services in a GUI with electronic forms or uses a gateway to provide access to an existing product /price database. Sellers entering price of their products into their database for updating information as in Kraft is not the same as populating a database with multi-variable information in response to searching as in Applicant’s claim because entering a price of their products into their databases is a process to update price information of the products to enable the customers with information through portals such as websites, whereas populating a database with multi-variable information is a process in which multi-variable information is collected based in response to search and stored in the database. Applicant respectfully requests the Examiner to kindly note that the sellers are nowhere entering price of products into database in response to a search. Furthermore, searching a database is general process, whereas populating a database with the multi-variable information in response to searching is a process for reducing search time. Therefore, Applicant respectfully submits that Kraft does not disclose at least “populating a database with that multi-variable information in response to said searching” (Claim 1).

7. In addition, Applicant respectfully submits that Kraft does not disclose at least “computing at a web server an effective price in response to that multi-variable information; and presenting that effective price in association with that selected product” (Claim 1). Applicant respectfully submits that Office Action has admitted on record that “Kraft fails to disclose computing at a web server an effective price in response to that multi-variable information; and presenting that effective price in association with that selected product” (See Office Action Page 4). Therefore, Applicant respectfully submits that Kraft does not disclose at least this limitation of Applicant’s claim 1.

8. Therefore, Applicant respectfully submits that Applicant’s claim 1 is allowable over Kraft and further in view of Catan.

9. With respect to claim 2, Applicant respectfully submits that Kraft does not disclose “determining at least one connection parameter related to or affecting time involved in searching information relating to prices by sellers, said parameter including pre-fetched information” (Claim 1). Applicant respectfully requests the Examiner to note that Office Action has admitted on record that “Kraft fails to disclose determining at least on connection parameter related to or affecting time involved in searching information relating to prices by sellers” (See Office Action Page 4). However, considering the rejection given by the Examiner, Applicant respectfully submits that Kraft merely discusses “sellers either enter price information for products or services in a graphical user interface with electronic forms or use a gateway to provide access to an existing Product/price database” (See Kraft Para [0012]). Applicant respectfully submits that Kraft nowhere discusses about determining connection parameters, instead Kraft discusses about

sellers entering price information into database through GUI or electronic forms. Sellers entering pricing information as in Kraft is not the same as determining connection parameter related to or affecting time involved in searching information relating to prices as in Applicant's claim because entering pricing information is a process of data entry, whereas determining connection parameter related to or affecting time involved in searching information is a process of finding out the parameter that affects time involved in searching pricing related information. Examiner has to kindly note that entering pricing information is nowhere related to determining connection parameter. Therefore, Applicant respectfully submits that Kraft does not disclose at least "determining at least one connection parameter related to or affecting time involved in searching information relating to prices by sellers, said parameter including pre-fetched information" (Claim 1).

10. In addition, Applicant respectfully submits that Kraft does not disclose "searching, responsive to said at least one connection parameter so as to reduce search time, for stated prices provided by sellers of a selected product" (Claim 2). Rather, Kraft merely discusses "the peer-to-peer node coordinates connectivity with other peers, building a dynamic network. A user/buyer can enter specific search requests using complex search criteria based on XML" (See Kraft Para [0012]). Applicant respectfully requests the Examiner to consider arguments in the above paragraphs for the same reason discussed herein.

11. Furthermore, Kraft merely discusses "the present system searches for the lowest available price for that item by transmitting the request to its neighborhood nodes on the peer-to-peer network. The nodes that wish to respond return the request with their offer and a URL to the

product site” (See Kraft Para [0027]). Applicant respectfully submits that searching for the lowest available prices for the item is nowhere related to Applicant’s claim. Searching for the lowest available price of the item as in Kraft is not the same as the searching, responsive to connection parameter to reduce search time, for stated prices provided by sellers of a selected product because searching as in Kraft is a process to find out the lowest price of the item, whereas searching as in Applicant claim is a process to determine a connection parameter in response to reduce search time, for stated prices. Examiner has to kindly note that Applicant is searching for a connection parameter in response, so as to reduce search time, for stated prices. In contrast, Kraft is merely searching for a lowest price through a search engine. Therefore, Applicant respectfully submits that Kraft does not disclose “searching, responsive to said at least one connection parameter so as to reduce search time, for stated prices provided by sellers of a selected product” (Claim 2).

12. In addition, Applicant respectfully submits that Kraft does not disclose “applying those discounts to those stated prices, whereby an effective price can be computed” (Claim 2). Applicant respectfully submits that Office Action has admitted on record that “Kraft fails to disclose the features of an effective price and applying those discounts and presenting the effective price and said connection parameter comprising one or more of a time-to-live indication, a multiple connection indication, pre-fetched price information, pre-opened connections, pres-search products, and a dead link indication” (See Office Action Page 6).

13. In addition, Applicant respectfully submits that Catan also does not disclose “applying those discounts to those stated prices, whereby an effective price can be computed” (Claim 2). Rather, Catan merely discusses “as an inducement for the user to purchase at the theater, the user can be given a discount incentive such as lower price on his/her next ticket purchase, discounted price for the goods ordered, or a free gift” (See Catan [col.7, lines 28-31]). Applicant respectfully submits that providing discount incentive such as lower price, discounted price for goods offered is not related to applying discounts to stated prices to compute effective price. Providing an inducement for the user as in Catan is not the same computing an effective price as in Applicant’s claim because, inducement as in Catan is a discount offered on next ticket purchase or providing discount on goods ordered, whereas effective price computing is a process in which discounts are applied on stated prices to obtain an effective price. Applicant respectfully requests the Examiner to note that Catan is nowhere computing effective price, instead merely providing discounts.

14. Furthermore, Catan merely discusses “in step S475, the user scans his document at a terminal, for example a kiosk at an entertainment venue. In step S480, the user is prompted for input, such as a selection of a product for purchase, an evaluation of an event just enjoyed, etc. The user's authorization information is processed by a server in step S485 and a response generated which may include the invitation for additional requests, confirmation of sale, etc. Further transactions may be invoked and appropriate UI elements generated in step S40. In step .S480, preferably an authentication step is involved to insure that a lost document is not used by a finder. The association in step S470 may be given a time to live (TTL) so that after the expiration of some predefined interval of time, the document and MRL device can no longer be

used (See Catan [col.29, lines 5-18]). Applicant respectfully submits that Catan is merely discussing about transaction process. Even though, Catan discusses about transaction process, it should be noted that Catan is completely silent about generating an effective price. Transaction process as in Catan is not the same as generating an effective price as in Applicant's claim because transaction process is a process of buying commodities or using services for consideration, whereas, effective price computing is a process in which discounts are applied on stated prices to obtain an effective price. Therefore, Applicant respectfully submits that either Kraft alone or in combination with Catan do not disclose at least "applying those discounts to those stated prices, whereby an effective price can be computed" (Claim 2).

15. Therefore, Applicant respectfully submits that Applicant's claim 2 is allowable over Kraft and further in view of Catan. In addition Applicant respectfully submits that claims 4-9, 11, 13 and 16-25 are allowable because they are dependent claims which include the non-obvious limitations of independent claims 1 or 2.

16. Claims 3/1 and 3/2 are rejected under 35 U.S.C. 103(a) being anticipated by Kraft (2004/0098377) in view of Catan (6491217) as applied to Claims 1 and 2 above and further in view of Herz et al. (2001/0014868). Applicant respectfully submits that claim 3 is allowable because claim 3 is dependent on independent claim 1 or 2.

17. Claims 10/1 and 10/2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraft (2004/0098377) in view of Catan (6491217) as applied to Claims 1 and 2 above and further

in view of Lohse (2003/0069785). Applicant respectfully submits that claim 10 is allowable because claim 3 is dependent on independent claim 1 or 2.

18. Claims 12/1 and 12/2 are rejected under 35 U.S.C. 103(a), as applied to claims 1 and 2, as being unpatentable over Kraft (2004/0098377) in view of Catan (6491217) as applied to Claims 1 and 2 above and further in view of Schierholt (2005/0149377). Applicant respectfully submits that claim 12 is allowable because claim 12 is dependent on independent claim 1 or 2.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney 650-965-8731 to facilitate prosecution of this application.

Respectfully submitted,
CampusI, Inc.

By their Representatives,
Raj Abhyanker LLP

Customer No. 55952

Date: March 9, 2010

By: /Raj Abhyanker/
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